

BARBARA WONG
EXECUTIVE DIRECTOR



STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION
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February 1, 2006

The Honorable Charles Djou, Chair
and Members of the Executive Matters
and Legal Affairs Committee
Honolulu City Council
530 South King Street
Honolulu, Hawaii 96813

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Dear Chair Djou and Committee members:

Subject: Council Bill 9: A Bill For An Ordinance Relating to Persons With Contracts With the City

The Campaign Spending Commission supports the intent of Council Bill 9 without commenting on the issue of whether the City has the resources to post a list of contractors. Generally, under Act 203 (specifically Hawaii Revised Statutes §11-205.5) any person, as defined in HRS §11-191, who enters into a contract with the State or counties is prohibited from making contributions until the contract is completed. This law applies to four types of contracts: (1) renditions of personal services; (2) buying of property; (3) furnishing any material, supplies, or equipment; or (4) selling of land or buildings to the State. An exclusion exists for those contracts which are funded in whole by sources other than the legislative body.

Candidates face the dilemma of accepting prohibited contributions without knowing whether the contributor is a state or county contractor. The provision of a list of City contractors would assist candidates to, at a minimum, question the contributor as to the status of his/her contract with the City or State. Though a contract may be completed at any point in time, and the list would only be updated quarterly, Council Bill 9 still offers the candidate an opportunity to make best efforts to assure that the candidate only accepts lawful contributions. The list is an excellent starting point, if not an answer in itself in some cases.

Sincerely,

A handwritten signature in black ink that reads "Bar U Wong".

BARBARA U. WONG
Executive Director

Misc. Com. No. 0228